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7/11/01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM R. BRANCH,  
Plaintiff

v.

D.O.C. JOHN DOES,  
Defendants

CIVIL NO. 1:CV-00-1728

(Judge Rambo)

**FILED**  
HARRISBURG, PA

JUL 10 2001

ORDER


MARY E. D'ANDREA, CLERK  
Per MA  
Deputy Clerk

NOW, THIS <sup>10</sup> DAY OF JULY, 2001, upon consideration of the facts that: (1)

plaintiff, an inmate confined at the State Correctional Institution, Waymart, Pennsylvania, filed this civil rights action pursuant to 42 U.S.C. § 1983; (2) along with his complaint, plaintiff also filed an application to proceed in forma pauperis; (3) an administrative order was issued on September 28, 2000 (Doc. 4) directing the warden at SCI-Waymart to commence deducting the filing fee from plaintiff's prison trust fund account; (4) by order (Doc. 16) dated April 30, 2001, plaintiff had twenty (20) days to file an amended complaint as prescribed by the court (Doc. 15); (5) plaintiff was informed that if a proper amended complaint was not filed, his complaint would be dismissed for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) and the case would be closed; and (6) as of today's date, plaintiff has not filed an amended complaint, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's complaint (Doc. 1) is dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

2. Plaintiff's motion for injunctive relief (Doc. 10) is dismissed as moot.
3. Plaintiff's application to proceed in forma pauperis (Doc. 18) is denied as unnecessary because the Court granted his first application.
4. The Clerk of Court is directed to close this case.
5. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith.

  
SYLVIA H. RAMBO  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

July 10, 2001

Re: 1:00-cv-01728 Branch v. D.O.C. John Does

True and correct copies of the attached were mailed by the clerk  
to the following:

William R. Branch  
SCI-WAYMART  
CF-3756  
P.O. Box 256  
Route 6  
Waymart, PA 18472-0256

cc:

Judge	(X )	(X ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	(X )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE: July 10th, 2001

BY:

  
Deputy Clerk